

# Town Council Meeting: 14 January 2013



Town of Garrett Park  
PO Box 84  
4600 Waverly Avenue  
Garrett Park, MD 20896

Regular Meeting of Town Council  
Garrett Park Town Hall  
10814 Kenilworth Avenue  
Garrett Park, MD 20896

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## MINUTES

**Call to Order:** Mayor Benjamin called the meeting to order at 7:30 PM. Present were Councilmembers Flynn, Mandel, Petito, Schulp, and Wegner. Also present was Administrator Pratt, Margaret Soltan of the *Bugle*, and a large number of Town residents.

**Approval of Agenda:** The Revised Agenda was approved as posted without objection.

### Approval of Minutes

- The minutes of the 12/06/12 Regular Council Meeting were approved as distributed without objection.
- The minutes of the 01/07/13 Special Council Meeting (Executive Session) were approved as distributed without objection, but were not released as an open public record.

### Action

- Parks & Open Space Committee Recommendations on Porcupine Woods --  
Mayor Benjamin called upon Councilmember Petito, as Council Liaison to the Parks and Open Space Committee (POSCO), to summarize the proposal from the committee. Councilmember Petito thanked the Porcupine Woods subcommittee for their work in preparing the report to the Council (attached to these minutes), and also thanked the many Town residents for taking interest in the report and coming to the Council meeting. Councilmember Petito then noted the broader aspects of the report other than bamboo: Porcupine Woods has suffered from a general lack of well directed maintenance; there is an ongoing problem with invasive species resulting in the lack of success in maintaining native plantings; and the need to remove of some of the downed wood, as well as a number of standing trees. Councilmember Petito then stated that the POSCO subcommittee would like to take steps to constrain the size of the existing bamboo patch in the woods.  
Mayor Benjamin recognized resident Suzanne Grefsheim, Chair of the subcommittee for the purpose of presenting the subcommittee's proposal. Ms. Grefsheim thanked the members of the subcommittee for their work (Residents Chris Keller, Frank Obrimski, Cathy Rinzel, and Ken Schwartz) with the assistance of Town Arborist Phil Normandy). Ms. Grefsheim presented

background information on Porcupine Woods, noting the similarities between the 1975 report and the current report as to the problem of invasive species and the need to preserve native plants, as well as the problem of bamboo invasiveness. She proffered the subcommittee's recommendation to remove some of the bamboo and contain the remainder with root barriers. Ms. Grefsheim further stated the subcommittee's recommendations that the Town hire a professional to remove downed and damaged trees within the Woods, and that the Town staff chip brush and branches as necessary. Ms. Grefsheim asked the Council for a decision to implement the subcommittee's recommendations.

There was discussion about the nature and effectiveness of bamboo barriers. In response to a question from Councilmember Mandel, Ms. Grefsheim noted that bamboo was especially resistant to herbicides such as RoundUp, making their use for removal likely ineffective. Councilmember Mandel asked about the views of abutting homeowners: Ms. Grefsheim noted that the subcommittee did try to survey the abutting homeowners door to door, and also by letter, and having received no response, had asked the Mayor to write a letter regarding the report and this meeting, which was sent to the homeowners. There was extended discussion by the Council and subcommittee, after which Mayor Benjamin asked for comments from residents.

Resident Bob Flanders addressed the Council and submitted a written statement (attached to these minutes) supporting the retention of bamboo in the Woods. Mayor Benjamin asked if containment of bamboo to an agreed-upon area was an acceptable compromise. Mr. Flanders said that it was acceptable.

Resident Janet Wegner referred to the early description of what the woods should be – woods, not a park. Mrs. Wegner stated that the bamboo should be kept in order to protect the sense of being in a forest.

Resident Chris Wright addressed the Council and submitted written remarks (attached to these minutes) supporting the retention of the bamboo and expressing concern about the process that led to the sub-committee's report.

Resident Marion Green stated that she took exception to Mr. Wright's comments about process, noting that a great deal of notice was given.

Resident Mario Grande, Citizens Association Chair, thanked the sub-committee for its work, stating that he supports keeping the bamboo in Porcupine Woods, and that bamboo can be successfully contained.

Resident Barbara Jackson noted that she is still fighting bamboo on her property, that bamboo will kill trees, that she did not believe bamboo can be contained, and that it need to be removed from Porcupine Woods.

Archives Committee Chair Charlie Snyder noted that the Town Archives had provided historical information to the Council will see that the record of tonight's discussion will be preserved.

A group of resident children addressed the audience in support of keeping the bamboo, many with bamboo headdresses.

Councilmember Mandel reiterated the importance of volunteer participation in town government, the substantial extent to which the volunteer subcommittee members went in announcing their meetings, in describing publicly their

recommendations, and in coordinating their efforts. He expressed his support for how they did their job.

Mayor Benjamin asked how the Council wanted to handle this matter. It was the sense of the Council that management of the bamboo should be considered separately from the other proposals in the sub-committee report. Mayor Benjamin stated that POSCO would accept containment, the questions remaining were how big an area, and where the boundary should be located. Councilmember Mandel commented that care needed to be taken in the definition of the barrier's location. Councilmembers Flynn and Wegner stated their preference for preserving a limited bamboo stand in Porcupine Woods. Mayor Benjamin suggested that a motion to accept bamboo containment and to seek specific recommendations from the POSCO subcommittee as to location..

Councilmember Schulp **MOVED:**

That the Council accept the recommendation for bamboo containment at a line to be recommended to the Council by the POSCO subcommittee after wide consultation within the Town and with adjacent property owners, and that bamboo outside the containment to be removed, using a methodology recommended by the subcommittee and approved by the Council. The motion was seconded by Councilmember Mandel and was **PASSED** unanimously

Councilmember Flynn **MOVED**

That the Town implement the non-bamboo recommendations of the subcommittee, including removal of some downed trees, chipping of brush, and new native plantings. Councilmember Schulp seconded the motion, which **PASSED** unanimously.

- Choosing Single-Stream or Dual-Stream Recycling – Mayor Benjamin noted that this matter had been extensively discussed at the December meeting and had since that time received substantial citizen comment favoring dual-stream recycling.

Councilmember Flynn **MOVED**

That the Town Administrator instruct Montgomery County Sanitation and Recycling to resume dual-stream recycling, effective immediately. Councilmember Mandel seconded the motion, which **PASSED** unanimously.

- Membership in GreenSavings Cooperative – Mayor Benjamin noted that the Town had been offered the opportunity to allow residents to participate in the GreenSavings Cooperative of Bethesda at a reduced membership fee by having the Town join as a partner. Councilmember Mandel stated that he is a member and supports the proposal that will provide them access to discounted goods from vetted local companies that belong to the Cooperative. Mike Kennedy, Executive Director of the cooperative made a presentation to the Council. Mayor Benjamin pointed out that the proposed agreement (attached to these minutes) allows the use of the Town's logo in GreenSavings literature, and that Garrett Park is first municipality to be approached by the cooperative. There was brief discussion.

Councilmember Mandel **MOVED**

That the Town join the GreenSavings Cooperative as an institutional member and that the Mayor be authorized to sign the membership agreement. The motion was seconded by Councilmember Wegner, and **PASSED**, with Councilmembers Mandel, Schulp, and Wegner voting in favor and Councilmembers King and Petito opposed.

In explaining her vote against the motion, Councilmember Flynn stated that while she strongly supported individuals joining the cooperative, she did not support the Town endorsing a private, for-profit enterprise. Councilmember Petito concurred.

Having originally voted for the motion, Councilmember Schulp **MOVED**

To reconsider the motion on joining the GreenSavings Cooperative. The motion was seconded by Councilmember Flynn, and was **PASSED**, with Councilmembers Flynn, Schulp, and Petito in support and Councilmembers Mandel and Wegner opposed.

The motion for reconsideration having succeeded, Mayor Benjamin called for the vote on the original motion, which now **FAILED**, with Councilmembers Flynn, Petito, and Schulp opposed and Councilmembers Mandel and Wegner in support.

- Leave Buyback – Town Administrator Pratt asked that the Council approve buying back accrued leave from Superintendent Frost so that he might clear \$5,000 after taxes and other deductions, estimated to total \$7,500. There was brief discussion.

Councilmember Schulp **MOVED**

That the Town buy back accrued leave from Superintendent Frost in an amount that will allow him to clear \$5,000. The motion was seconded by Councilmember Flynn and **PASSED** unanimously.

- Introduce Ord. 2013-01: Mid-year Budget Adjustments – Mayor Benjamin presented the proposed changes to the FY 2013 Operating and Capital budget, and reviewed the proposed resolution for adoption, which included clarification of reprogramming authority delegated to the Mayor. There was discussion of the changes to the budget and of the proposed resolution, resulting in some changes in the Council notification provisions.

Councilmember Wegner **MOVED**

That Ordinance 2013-01 (attached to these minutes) be introduced. Councilmember Petito seconded the motion, which **PASSED** unanimously.

## Discussion

- Status of the Safe Routes To School Grant Application – Mayor Benjamin and Councilmember Wegner said that the application has been filed and there is confirmation of its receipt.
- Pepco Undergrounding Proposal – Councilmember Wegner walked with State Delegate Al Carr and others along a number of roads in Kensington and Knowles and Weymouth in Garrett Park to inspect the route of a Pepco proposal to

underground overhead wires. Mayor Benjamin reported to the Council that he had declined a request from Pepco to support the proposal before the state legislature because it would involve a Pepco rate increase which would exceed the cost of the undergrounding.

**New Business:**

- Mayor Benjamin noted that the Council will hold a Special Meeting on March 20 at 7:30 PM, in the Town Office, and will go into Executive Session to discuss the selection of the new Town Manager/Clerk-Treasurer.

**Town Administrator's Monthly Financial Report:**

- Administrator Pratt and Mayor Benjamin discussed the December financial report and changes in the format of the monthly report with the Council.

**Adjournment:** The meeting was adjourned at 10:30 PM